

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

FLASHPOINT TECHNOLOGY, INC.,

Plaintiff,

V.

APITEK, INC., ARGUS CAMERA CO., LLC, BUSHNELL INC., DXG TECHNOLOGY (U.S.A.) INC., DXG TECHNOLOGY CORP., GENERAL ELECTRIC CO., LEICA CAMERA AG, LEICA CAMERA INC., MINOX GMBH, MINOX USA, INC., MUSTEK, INC. USA, MUSTEK, INC., OREGON SCIENTIFIC, INC., POLAROID CORP., RITZ INTERACTIVE, INC., RITZ CAMERA CENTERS, INC., SAKAR INTERNATIONAL, INC., D/B/A DIGITAL CONCEPTS, TABATA U.S.A., INC., D/B/A SEA & SEA, TARGET CORP., VISTAQUEST CORP., VUPOINT SOLUTIONS, INC., WALGREEN CO., and WAL-MART STORES, INC.,

## Defendants

C.A. No. 08-139-GMS

## JURY TRIAL DEMANDED

**MOTION TO EXTEND**

Plaintiff FlashPoint Technology, Inc. respectfully requests that the Court grant this motion to extend the time by which defendant Tabata U.S.A., Inc. d/b/a Sea & Sea, shall answer, move, or otherwise respond to plaintiff's complaint to and including April 30, 2008. FlashPoint is bringing this motion in order to give Tabata time to retain local counsel in connection with the complaint.

OF COUNSEL:

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David M. Hill  
Michael J. Zinna  
WARD & OLIVO  
380 Madison Avenue  
New York, NY 10017  
(212) 697-6262

Dated: April 1, 2008

/s/ Evan O. Williford

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David J. Margules (I.D. No. 2254)  
Evan O. Williford (I.D. No. 4162)  
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*Attorneys for plaintiff Flashpoint Technology, Inc.*

**CERTIFICATE OF SERVICE**

I, Evan O. Williford, hereby certify that on April 1, 2008, I caused to be electronically filed a true and correct copy of the foregoing document – **Motion to Extend** – with the Clerk of Court using CM/ECF which will send notification of such filing to the following local counsel for defendants:

Richard K. Herrmann, Esquire  
Morris James LLP  
500 Delaware Avenue, Suite 1500  
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*Attorneys for Defendant Bushnell, Inc.*

Steven J. Balick, Esquire  
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Wilmington, DE 19801  
*Attorneys for Defendants Wal-Mart Stores and Target Corp.*

I further certify that on April 1, 2008, I caused a copy of the foregoing document to be served on the following defendants by First Class Mail:

Aiptek, Inc.  
51 Discovery  
Suite 100  
Irvine, CA 92618

Ritz Interactive Inc.  
2010 Main Street  
Suite 400  
Irvine, CA 92614

Argus Camera Company LLC  
1610 Colonial Parkway  
Inverness, IL 60067

Sakar International Inc.  
d/b/a Digital Concepts  
195 Carter Drive  
Edison, NJ 08817

DXG Technology (U.S.A.) Inc.  
1001 Lawson Street  
City of Industry, CA 91748

Tabata U.S.A. Inc.  
d/b/a Sea & Sea  
2380 Mira Mar Avenue  
Long Beach, CA 90815

Leica Camera Inc.  
156 Ludlow Avenue  
Northvale, NJ 07647

VistaQuest Corporation  
6303 Owensmouth Avenue  
10<sup>th</sup> Floor  
Woodland Hills, CA 91367

Minox USA Inc.  
438 Willow Brook Road  
Plainfield, NH 03781

VuPoint Solutions Inc.  
17583 Railroad Street  
City of Industry, CA 91748

Mustek, Inc. USA  
15271 Barranca Parkway  
Irvine, CA 92618

Walgreen Co.  
200 Wilmot Road  
Deerfield, IL 60015

Oregon Scientific, Inc.  
19861 Southwest 95<sup>th</sup> Avenue  
Tualatin, OR 97062

Polaroid Corporation  
1265 Main Street  
Waltham, MA 10022

Ritz Camera Centers, Inc.  
6711 Ritz Way  
Beltsville, MD 20705

/s/ Evan O. Williford  
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